TRAVANCORE CIVIL COURTS POWERS (Amendment) Bill.

CONSIDERATION OF

Mr. Kayalam Paramesvaran Pillai: Sir, I beg to move that the Travancore Civil Courts Powers(Amendment) Bill as passed by the Assembly be taken into consideration.

The Bill as passed mainly relates to the method of work in the High Court. At present second appeals which are appeals against the appellate decrees of District Judges are heard and disposed by Division Benches. It is proposed by the Bill that these second appeals should go before a Division Bench only, if they are admitted by a single judge as being a *prima facie* sustainable appeal. If any such second appeal is on the face of it unsustainable it will be rejected by the single judge himself and will not go before a Division Bench at all.

Mr. Kochikal P. Balakrishnan Tampi (*Karunagapalli Karthikapalli and Ambalapuzha* cum *Shertala*): May I know what is the practice in other chartered High Courts?

Mr. Kayalam Paramesvaran Pillai: In Madras single judges finally dispose of second appeals generally; but with the Bill it is laid down,

"It shall not be within the power of a single Judge to set aside or modify such decree or order ....."

I trust that the House will agree to the consideration of this Bill.

Mr. C. V. Chandrasekharan: I second it.

The motion was put to the vote of the House and carried.

Clauses 2 to 4 were put to the vote of the House and carried.

Mr. Kayalam Paramesvaran Pillai: I beg to move that the Bill be passed.

Mr. C. V. Chandrasekharan: I second it.

The motion was put to the vote of the House and carried.

THE TRAVANCORE HIGH COURT REGULATION (second) AMENDMENT BILL.

CONSIDERATION OF

Mr. Kayalam Paramesvaran Pillai: I beg to move that the Travancore High Court Regulation (Second) Amendment Bill be taken into consideration.

Mr. C. V. Chandrasekharan: I second the motion.

Mr. Kayalam Paramesvaran Pillai: The Bill that has already been passed relates to civil matters and this Bill relates to criminal matters. The law, as it is at present, is that criminal revision petitions and criminal references pending before the High

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[Mr. Kayalam Paramesvaran Pillai.]

Court may be heard by a single Judge but he cannot modify or set aside the order of the lower court. It is proposed to confer on single judges the power also to modify or set aside the order, but it is laid down, in the Bill, that it shall not be competent for a single Judge to enhance any sentence passed by a criminal court or to interfere with any orders of acquittal made by any court. I trust these provisions will facilitate the disposal of cases in the High Court and will receive the acceptance of the House.

The motion was agreed to.

The question that clauses 1 and 2 stand part of the Bill was put to the vote of the House and carried.

The clauses were added to the Bill.

The question that the preamble and the title stand part of the Bill was put to the vote of the House and carried.

The preamble and title were approved.

Mr. Kayalam Paramesvaran Pillai: I now beg to move that the Bill be passed.

Mr. C. V. Chandrasekharan: I second it.

The motion was carried.

The Bill was passed.

THE TRAVANCORE TRADE DISPUTES BILL.

CONSIDERATION OF

Mr. Kayalam Paramesvaran Pillai: I beg to move that the Travancore Trade Disputes Bill as passed by the Assembly be taken into consideration.

Mr. C. V. Chandrasekharan: I second the motion.

Mr. Kayalam Paramesvaran Pillai: The main purpose of this Bill is to provide a machinery for the settlement of trade disputes if any such arises.

Clauses 3 to 14 deal with the settlement of Trade Disputes. A tribunal is proposed to be set up for settling the disputes. This tribunal may be a court of inquiry or a Board of Conciliation. When a dispute arises it may be referred to a Court of Inquiry or a Board of Conciliation. The court of inquiry is appointed to enquire into the specific matters referred to it. The Board of Conciliation are concerned not with any specific points referred to them but are on the other hand appointed to investigate the disputes with a view to settling them. The Court of inquiry will consist of independent persons, one of whom shall be the Chairman. They are independent in the sense that they will have nothing to do directly or indirectly with the matters of disputes or the trade in which the dispute arose.

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